

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

		X
MARCO MENEGHETTI, Individually and on	:	Civil Action No. 13-cv-03840
Behalf of All Others Similarly Situated,	:	
	:	<u>CLASS ACTION</u>
Plaintiff,	:	
	:	NOTICE OF VOLUNTARY DISMISSAL
vs.	:	WITHOUT PREJUDICE
	:	
UNI-PIXEL, INC., et al.,	:	
	:	
Defendants.	:	
	:	
	X	

Plaintiff Marco Meneghetti, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, hereby gives notice of the dismissal of Defendants Uni-Pixel, Inc., Reed J. Killion, Jeffrey W. Tomz and Bernard T. Marren (the “Defendants”) from this proposed class action without prejudice. Plaintiff moves that an Order be entered granting approval of the voluntary dismissal of the Defendants without prejudice and without notice in accordance with the provisions of Fed. R. Civ. P. 23(e). In support of this motion, Plaintiff states as follows:

1. The Defendants were named as defendants in this action in Plaintiff’s Complaint filed on June 5, 2013.
2. This Court has subject matter jurisdiction with respect to all claims asserted against each of the other Defendants in this action.
3. The Defendants have not filed an answer or motion for summary judgment.
4. No motion for class certification has yet been filed in this action.

WHEREFORE, Plaintiff respectfully moves for an Order approving the voluntary dismissal of this Action without prejudice and without notice pursuant to Fed. R. Civ. P. 23(e).

DATED: July 2, 2013

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